

Appl. No. 10/680,903

Attorney Docket No. 10541-1762

## **II. Remarks**

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

After entering this amendment, claims 1-26 remain pending.

### *Claim Objections*

Claim 1 was objected because the phrase "ambient light" is indefinite. Claim 1 has been amended to remove the phrase "ambient light". Accordingly, it is believed that this objection is now moot and should be withdrawn.

### *Further Claim Clarifications*

Prior to discussing the references, it is believed that a brief discussion on the current form of independent claim 1. Claim 1 has been amended to clarify, more particularly to point out and distinctly claim that which applicants regard as the subject matter of the present invention. Specifically, claim 1 now recites that said light source is configured to illuminate said indicia through the transmission of light through said inner peripheral edge within said thickness of said first plate.

### *Claim Rejections - 35 U.S.C. §103(a)*

Claims 1-7, 10-15, 18-20 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,911,492 to Perry et al. ("Perry") in view of U.S. Patent 2,561,885 to Prideaux et al. ("Prideaux"). Applicants respectfully traverse this rejection.



BRINKS HOFER GILSON & LIONE  
PO Box 10395  
Chicago, IL 60610-5599

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Claim 1 of the present claimed invention recites a first plate having an outer peripheral edge and an inner peripheral edge defining a central region. Additionally, claim 1 recites a light source located within the central region and that the light source is configured to illuminate indicia, formed in the first plate, through the transmission of light through the inner peripheral edge within the thickness of said first plate.

The examiner states that the light source located within the central region, as claimed in claim 1, is the lamp 26 of Perry. Furthermore, the examiner states that the inner peripheral edge of the transparent substrate 22 of Perry is "obviously configured to receive light" from the lamp 26.

A careful reading of Perry will reveal that the lamp 26, located within the central region of the transparent substrate 22, is used "only for lighting the pointer." (Col. 2, lines 66-67). There is no mention in Perry that the lamp 26 provides lighting to the transparent substrate 22. In fact, Perry states that the transparent substrate 22 is illuminated by "back lighting or by a light pipe using light sources that are not shown." (Col. 2, line 67 – Col. 3, line 2).

In that Perry and/or Prideaux fails to disclose or suggest the elements as claimed in claim 1, it must be concluded that the combination of Perry in view of Prideaux cannot render the claims of the present application as obvious. The rejection under § 103 is therefore improper and should be withdrawn.

Additionally, when making a rejection under 35 USC §103, the cited references must provide some motivation, suggestion or teaching to render the claims of the present invention as obvious. The examiner states that the Prideaux discloses an illuminated plate having indicia formed into the plate to pick up light

BRINKE
HOFFER
GILSON
& LIONE

BRINKS HOFER GILSON & LIONE  
PO Box 10395  
Chicago, IL 60610-5599

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supplied through the thickness of the plate and that it would be obvious to combine the illuminated plate of Prideaux with the transparent substrate of Perry. However, neither reference provides any suggestion or motivation for making this combination. At best, Prideaux only suggests incorporating the illuminated plate having indicia formed into the plate into dials (column 1, lines 35-42), such as those found in radio cabinets (column 3, lines 32-35), and clock dials (column 3, lines 40-49). There is no motivation to incorporate the illuminated plate of Prideaux into an instrument panel display for an automobile. The only motivation hinted is in the present application itself. However, the present application cannot be the source of the required motivation because such a reconstruction of the invention is improper. The requisite motivation is not provided and therefore, the rejection under 35 USC §103 thereon should be withdrawn.

With respect to claims 2-7, 10-15, 18-20 and 25, these claims are dependent on claim 1 and are patentable for at least the same reasons as given above in support of claim 1. Accordingly, allowance of these claims is respectfully requested.

Claims 8, 9, 16, 17, 21, 22, and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Perry in view of either Prideaux further in view of either U.S. Patent 3,131,607 to Hardesty, U.S. Patent 6,302,551 to Matumoto, U.S. Patent 6,502,976 to Bernhard, U.S. Patent 4,559,582 to Scardilli or U.S. Patent 5,047,761 to Sell. These claims are dependent on claim 1 and are patentable for at least the same reasons given above in support of claim 1. Accordingly, allowance of these claims is respectfully requested.



BRINKS HOFER GILSON & LIONE  
PO Box 10396  
Chicago, IL 60610-5599

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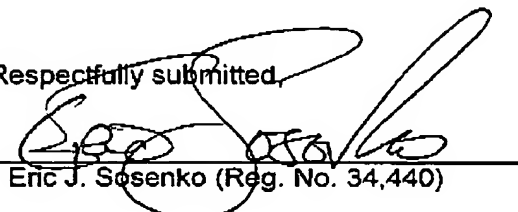
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*Conclusion*

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

6/21/06  
Date

Respectfully submitted,

  
Eric J. Sosenko (Reg. No. 34,440)

BRINKS HOFER GILSON & LIONE  
PO Box 10395  
Chicago, IL 60610-5599

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